INDEX

Abbreviations, Acronyms, and Short Forms Used: AIDS, acquired immunodeficiency syndrome; ASIL, American Society of International Law; Charter, United Nations Charter; EC, European Communities; GATT, General Agreement on Tarriffs and Trade; ICC, International Criminal Court; ICJ, International Court of Justice; ICTY, International Criminal Tribunal for former Yugoslavia; IR, international relations; NATO, North Atlantic Treaty Organisation; NGO, nongovernmental organization; NAFTA, North American Free Trade Agreement; OECD, Organisation for Economic Cooperation and Development; POW, prisoner of war; UN, United Nations; WTO, World Trade Organization

Abbasi v. Sec'y of State for Foreign & Commonwealth Affairs, 323
"Abstinence only" approach to prevention of HIV/AIDS, pregnancy, 105
Accountability, in international organizations, 233, 236, 241
Accountability in European Union, 245
ACLI. *See* American and Caribbean Law Initiative
Acquired immune deficiency syndrome, 8, 10, 105
  "abstinence only" approach to prevention of, 105
  entitled to treatment, 103
  health care for poor people with, 8
Activists Beyond Borders: Advocacy Networks in International Politics, 302
Advance Informed Agreement, procedure, effectively requires exporters to notify importing countries before first shipping LMO to them, 37
Advocacy networks, contribution to building legal norms, 302
Afghanistan, 21, 41, 46, 52, 114, 141
  Bagram Air Base in, deaths in custody in, 24
  Iraq, situation faced in, contrasted, 195
  Memorandum on Rules of International Humanitarian Law to be Respected by States Involved in Military Hostilities in, 21
  Northern Alliance in, 22
  postconflict situations in, 115
African Union Convention, 133
Aggressive Unilateralism: America's 301 Trade Policy and World Trading System, 159
Agreement on Technical Barriers to Trade, 38
Agreement on Trade-Related Aspects of Intellectual Property Rights, 39
Agriculture, Doha Round, 322
Ajuri v. IDF Commander in West Bank, 203
Akayesu, Kunarac, and *Furundzija* cases, 63
Aksoy v. Turkey, 96
Al Qaeda, 21, 22, 46–47, 52, 98, 115, 141, 144, 147, 193, 195
Al Qaeda Manual, 27
Aldrich, George H., 198
Alleged terrorists, 15–18
  discrimination against, 15–16
  due process, 15
  minimal rights to, 16–18
  military commissions, limitations on United States use of, 15
  prosecution of, 15–18
  discrimination, 15–16
  due process, 15
  minimal rights to, 16–18
  military commissions, limitations on United States use of, 15
  right to counsel, 17
  right to review, 17–18
  right to trial, 16–17
  rules of evidence, 17
Allen, Charles, 98, 196
Allott, Philip, 129
Along Domestic-Foreign Frontier: Exploring Governance in Turbulent World, 70
Alter, Jonathan, 24
Alvarez, Jose E., 159
American and Caribbean Law Initiative, 217, 218–19
American mind, international law and, 129–31
American power
  paradox of, 75
  in twenty-first century, 71–72

American Stock Exchange, 269
American Vision of International Law?, 125–31
Anderson, Benedict, 70
Anguilla, 218
Annan, Kofi, 4
Ansar network, 147
Antidumping Agreement, 82, 162, 163–66, 252
Antidumping and Countervailing Measures on Steel Plate from India, 164
Antigua, 218
Anti-Terrorism, Crime and Security Act of 2000, 136
Antitrust law, 310
Apartheid, South African, 69
Appellate body of World Trade Organization, 77–92
Application of Sanitary and Phytosanitary Measures, 38
Arbitrary detention, 23
Arbitration of disputes under income tax treaties, 107–09
Argentina, 135
Argentine Anti-Corruption Office, 135
Argentine human rights group, 304
Aristotle, sense of justice, 181
Aruba, 218
Aspen Institute, International Council on Human Rights Policy, 10
Association of Caribbean States, 126
Atkins v. Virginia, 116
Ault, Hugh J., 107
Australia, 215
"Axis of nonobedience," 112
Azinian, Robert, 252

Bacchus, James, 78
Bagram Air Base, Afghanistan prisoners, 15–18, 22, 24
  discrimination, 15–16
  due process, 15
  minimal rights to, 16–18
  military commissions, limitations on United States use of, 15
  right to counsel, 17
  right to review, 17–18
  right to trial, 16–17
  rules of evidence, 17
  status of, 22–23
Bahamas, 218
Bailey, Teresa A., Wrap-Up Panel Overview, 321–24
Balkans, 177
Ballin, Ernst M.H. Hirsch, The Initial Phase of the ICC and the Responsibilitites fo the Host State, 260–64
Bankovic v. Belgium, 243
Barbados, 218
Barbuda, 218
Barfield, Claude E., 85
Baxter, Richard, 279
Beckington, Jeffrey S., 80
Bederman, David, 3
Belgium, 190
Belize, 218
Bennoune, Karima, "To Respect and to Ensure": Reconciling International Human Rights in a Time of Terror, 23–27
Bentham, Jeremy, 181
Berlin Wall down, 177
Bermuda, 218
Bhala, Raj, 162, 321, *Rems.*, 322–23
Bilateral investment agreements, 248
Bioengineered agricultural commodities, trade in, 36–40
Biological Diversity, Convention on, 34
Biosafety Protocol, 37, 39
Blair, Tony, 113
Boeing/McDonnell Douglas merger, 310
Bork, Robert, 278
Bosnia, postconflict situations in, 115
Boswell, Nancy, The Impact of International Law and the American Mind, 133–37
Boundaries of International Law: A Feminist Analysis, 57, 60
BPI. *See* Bribe Payers Index
Bradlow, Daniel, 1
Branigan & McBride v. United Kingdom, 96
Brazil, 310
  debt of, 221
Breard v. Greene, 267
Bretton Woods institutions, 125
Brewer, David, 265
Breyer, Stephen, Keynote Address, 265–68
Bribe Payers Index indicates, 135
Bribery of foreign public officials, 135–36
British Attorney General, Lord Goldsmith, 126

British Nationals at Guantànamo Bay case, 323
British Virgin Islands, 218
Brockes, Emma, 59
Brower, Charles N., 247
  NAFTA's Investment Chapter: Dynamic Laboratory, Failed Experiments, and Lessons for the FTAA, 251–57
Brown, John, 297
Brownlie, Ian, 151
  Politics and Law in International Adjudication, 282–86
Buchheit, Lee, 189, 222, 228
Build consensus for peer review mechanism, 134
Bulgaria, 136
Bush administration, 17, 112, 113, 114, 125, 174, 176, 178
Buxbaum, Hannah, *Rems.*, 269
Byrd Amendment, 323
Byrnes, Andrew, Changing Reality: All Roads Lead to Equality?, 60–65

Caicos, 218
Calder v. Jones, 313
California ban, 252
Calvinistic humanism, 130
Campbell, David, 171
Canada, 135, 136, 254
  genetically-modified soybean for planting in, 38
Canada-Pharmaceuticals case, 171
Canadian ban, 252
Capital punishment, 219
Caribbean Community and Common Market, established by Treaty of Chaguaramas, 218
Caribbean Law Clinic, 217, 218
Caribbean Law Initiative, 218
CARICOM. *See* Caribbean Community and Common Market; Commonwealth Caribbean and by Caribbean Community and Common Market
Caroline case, 141, 146, 147
Cartagena Protocol on Biosafety to Convention on Biological Diversity, 37
Castillo Petruzzi v. Peru, 96
Cayman Islands, 218
CBD. *See* Convention on Biological Diversity
CEDAW. *See* Convention on Elimination of All Forms of Discrimination Against Women
CEELI. *See* Central European and Eurasian Law Initiative
Central European and Eurasian Law Initiative, 217
CERD. *See* Convention on Elimination of Racial Discrimination
CESCR. *See* United Nations Committee on Economic, Social and Cultural Rights
CGIAR. *See* Consultative Group on International Agriculture Research
Chador, wearing of, 266
Chambers, Blackstone, 282
Chandler, Marc, 68
Charlesworth, Hilary, 57, 59, 60, 111, *Rems.*, 120–23
Charnovitz, Steve, 160
Charter of United Nations, 187
Chayes
  Abram, 115, 123
  Antonia, 115, 123
Chile, 86, 103, 113, 138
Chilea, human rights activists, 304
Chinkin, Christine, 60
  Rems., 55–59
Chirac, President, 113, 114
Citibank loan to developing country, 221
Civil War, social transformation to urbanism, capitalism, 130
CLI. *See* Caribbean Law Initiative
Clinton administration, 125, 173, 174
Clothing products, restrictions on import of, turkey, 92
Cluster munitions, 194
Collective action clauses, 222
Colombia, 177, 218
Commission on Human Security, 6
Committee against Torture, 62
Committee on Economic, Social and Cultural Rights, 62
Common Law, 161
Commonwealth Caribbean and by Caribbean Community and Common Market, 218

Communist terrorists in Malaya, 19
Compensation and Boundary Demarcation Commissions, 42
Competition, international, policy of, 309–12
Conceptual role of social movements, 296–99
Conference of Parties to Framework Convention on Climate Change: Kyoto Protocol, 323
Constitution of Republic of South Africa, 170
Constitutional Court of Bosnia and Herzegovina, 214
Consultative Group on International Agriculture Research, 29
Contraceptive drug, placebo, 102
Control of Plant Genetic Resources, 33
Convention against Torture, 11
Convention on Biological Diversity, 34, 37
Convention on Bribery of Foreign Public Officials, 135
Convention on Elimination of All Forms of Discrimination Against Women, 3, 7, 55, 56, 61, 62, 104, 121, 122
Convention on Elimination of All Forms of Racial Discrimination, 62
Convention on International Liability for Damage Caused by Space Objects, 238
Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, 62
Convention on Rights of the Child, 3, 7, 56, 62
Convention on Settlement of Investment Disputes Between States and Nationals of Other States, 254
Cook, Rebecca J., Human Rights Dimensions of Health Security, 101–06
Copyright, case, 171
Cot, Jean-Pierre, The Balance of Law and Politics, 286–89
Council of Europe Criminal Law Convention, 133
Counsel, right to, in prosecution of alleged terrorists, 17
Crawford, James, 236, 321
  Rems., 324
Croatia, 177, 213
Cyprus, 177
Czechoslovakia, Warsaw Pact, 126
Dalton, Jane, *Rems.*, 193–96
Data privacy, extraterritoriality, 314–17
Data Privacy Directive, 319
Day, William, 265
Dayton Accords, 177
de Cuellar, Perez, 290
de Quincy Walker, Geoffrey, 291
Death penalty, 116
Debt crisis, 221–29
Debt restructuring mechanism, 223
Declaration of Independence, as expression of American mind, 129
Decolonization, in Africa, 190
Democracy, social movements and, 305–08
Demsetz, Harold, 30
Den Norske Stats Oljeselskap As v. HeereMac Vof,, 310
Department of Defense, rules of procedure, 16
Dershowitz, Alan M., 24
Detention of alleged terrorists, 13–15, 15–18, 22
  discrimination, 15–16
  due process, 15
  minimal rights to, 16–18
  military commissions, limitations on United States use of, 15
  right to counsel, 17
  right to review, 17–18
  right to trial, 16–17
  rules of evidence, 17
  security threat, 13–15
  standards under human rights law, 13–14
  status of, 22–23
Dickens, Bernard M., 102
Diggers in English Civil War, 300
Digital Divide: Civic Engagement, Information Poverty, and Internet Worldwide, 70
Dinstein, Yoram, *Rems.*, 147–49
Discrimination Against Women
  Elimination of All Forms of, Convention on, 3, 7, 55, 56, 61, 62, 104, 121
Discrimination in prosecution of alleged terrorists, 15–16
Dispute Resolution in World Trade Organization, 159
Dissent, "Terrorist" to denote, these who express it, 27
Djajic case, 100

DOD. *See* Department of Defense
Dodge, William S., 309,
The Structural Rules of Transnational Law, 317–19
Doha Round, agriculture, 322
Domestic governance
impact of international law on, 133
international law standards for, 133–40
Dominican Republic, 218
Doswald-Beck, Louise, Human Security: Can It Be Attained?, 93–101
Dow Jones & Co. v. Gutnick, 313
Drug Enforcement Administration, 252
Drumbl, Mark, *Rems.*, 141
Drummond, James, 27
Duane, William, 130
Dudek, Paul, *Rems.*, 269–72
Due process, 15
minimal rights to, 16–18
Dunoff, Jeffrey, 159
Is the WTO Fair to Developing States?, 153–57
Durling, James P., 84
Dynamic Statutory Interpretation, 162
Dyson, Esther, 67

East Timor, United Nations transitional authority in, 210–12
East Timor case, 282
Ecuador, 221
Egalitarian liberalism, 158–59
limitations of, 160
Ehlermann, Claus-Dieter, 87–92
Reflections on the Appellate Body of the WTO, 77–86
Eiusdem generis doctrine, 52
Eldred v. Ashcroft, 265
Election of judges to International Court of Justice, 278–80
Elimination of All Forms of Discrimination Against Women, Convention on, 3, 7, 55, 56, 61, 62, 104, 121
Elliott v. Peru, 226
Empagran S.A. v. F. Hoffman-Laroche, Ltd., 310
Enforcing International Trade Law: Evolution of Modern GATT Legal System, 87
Engendering Democracy, 120
English Civil War, 300
Enjoyment of Human Rights of Acts of Violence Committed by Armed Groups that Spread Terror Among Population and by Drug Traffickers, Sub-Commission on Human Rights Resolution 1993/13 (Aug. 26, 1993), 26
Enron's collapse, 269
Environment, Kyoto, 4
ESCR Covenant. *See* International Covenant on Economic, Social and Cultural Rights
Eskridge, William N., 162
Esserman, Susan, 81, 92, 158
Esty, Daniel C., 158
ETA. *See* Euskadi Ta Askatasuna
Ethical Globalization Initiative, 10
EU. *See* European Union
Europe, political geography of, 190
European Commission on Human Rights, 103
European Convention on Human Rights, 50, 103
European Court of Human Rights, 96, 103, 104, 243, 263
European Court of Justice in Lexembourg, 80
European Union, 39, 192, 261, 309
Swedish implementation, 47–48
Evangelism, 297
Evidence, rules of, in prosecution of alleged terrorists, 17
Explosive Remnants of War, 202
Extraterritoriality
data privacy, 314–17
in international competition policy, 309–12

Fairness, trade and, 323
Fairness in International Law and Institutions, 157
Falun Gong, 299
FAO. *See* United Nations Food and Agriculture Organization
Farer, Tom J., 54
Farmer, Paul, 8
Fathalia, Mahmoud F., 102
Faundez, Julio, Regime Change and the Governance Agenda—Are They Linked?, 137
Fedayeen, Saddam, 196
Federalist Papers, 297
Ferencz, Benjamin B., 4,
Rems., 259–60

Finland, 136
Fisheries jurisdiction, 285
Foreign private creditors, 221
Foreign public officials, bribery of, 135–36
Foreign Sales Corporation case, 323
Foreign Trade Antitrust Improvements Act of 1982, 310
Former Czechoslovakia, 190
Founding of Socialist International, 70
Fourth Geneva Convention, 203
France, 190
Francis Lieber Society, 193
Franck, Thomas M., 146, 157
Frank, Robert L., 252
Free Trade, Sovereignty, Democracy: Future of World Trade Organization, 85
Freedland, Jonathan, 59
FTAIA. *See* Foreign Trade Antitrust Improvements Act of 1982
FTC. *See* United States Federal Trade Commission
Fuller, Melville, 265
Fund. *See* International Monetary Fund

Gabcikovo-Nagymaros Project case, 285
Gabcikowo-Nagymaros Project, 285
Galbraith, Ambassador Peter, The United Nations Transitional Authority in East Timor (UNTAET), 210–12
Garamone, Jim, 196
Garcia, Frank J., 158
Garrison, William Lloyd, 297
Gathii, James, Fairness as Fidelity to Making the WTO Fully Responsive to All Its Members, 157–67
GATT. *See* General Agreement on Tariffs and Trade
Gelpern, Anna, Beyond Balancing the Interests of Creditors and Developing States, 221–23
Gender-specific standards, procedures, 61–62
General Agreement of Tariffs and Trade, 87, 89, 92, 153, 160, 184
Genetic resources
  global conflict over, 29–40
  illustrations, existing legal frameworks, new regimes, 29
Genetically-modified soybean for planting in Canada, 38
Geneva Conventions, 14, 15, 21, 22, 23, 99, 115, 195, 199, 241, 324
Geneva law in times of armed conflict, standards under, 14–15
Geneva Protocol I, 14, 21, 23
Geneva-based International Council on Human Rights Policy, 9
Germany, 136
  postconflict situations in, 115
  Red Army Faction, 19
Ginsburg, Ruth, 265
Glennon, Michael J., *Rems.*, 150–52
Global conflict over genetic resources, 29–40
Global Governance A Review of Multilateralism and International Organization, 240
Global military expenditures, 9
Globalism and International Law: Values and Choices, 3
Globalization
  information revolution, American power and, 72–74
  internationalization, distinction between, 182
  role of human rights, 1–12
Goldberg, Arthur, 279
Goldenberg, Suzanne, 59
Goldstein, Judith L., 31
Governance and Development, 138
Gray, Robert B., *Rems.*, 223–29
Greenstock, Jeremy, 43, 44, 45
Greenwald, John, 78
Grenada, 218
  Association of Caribbean States, 126
Grenadines, 218
Griffith, Gavan, *Rems.*, 321–22
Grotius, Hugo, 296
Grotius Lecture, fifth annual, 1–12
Guantánamo Bay detainees, 15–18, 22, 115, 198
  discrimination, 15–16
  due process, 15
  minimal rights to, 16–18
  military commissions, limitations on United States use of, 15
  right to counsel, 17
  right to review, 17–18
  right to trial, 16–17
  rules of evidence, 17
  status of, 22–23
  suicide attempt rate in, 24

Guetzkow, Harold, 70
Gulf of Maine area, delimitation of maritime boundary in, 278
Gulf of Maine case, 281
Gulf War, 113, 148, 149
Gumbel, Andrew, 24
Gutnick, 319
Guyana, 218

Hafner, Gerhard, Accountability of International Organizations, 236–40
Hague, 177, 191, 260
Hague Convention, 290
Hague Peace Conferences of 1899 and 1907, 3
Hague Regulations of 1907, 149
Hague Resolutions Respecting Laws of Customs of War on Land, 149
Haiti, 178, 218
Hamas suicide bomber, 200
Hamdi, Yaser Essam, 195
Hamdi v. Rumsfeld, 195
Happiness, in context of international society, 182
Harbinson Text, 322
"Harbor or support" rule, self-defense, 146–47
Harlow, Carol, 245
Haya de la Torre case, 285
Hazardous Chemicals and Pesticides in International Trade, Rotterdam Convention on Prior Informed Consent Procedure for Certain, 39
Health, right to, 104
Health security, human rights dimensions of, 101
Health systems, 103–05
Held at United States military base in Guantánamo, Cuba, 196
Helfer, Laurence R., 171
  Intellectual Property Rights and the International Treaty on Plant Genetic Resources for Food and Agriculture, 33
Helsinki Accord of 1975, 185
Henkin, Louis, 151
Heywood, Mark, 170
Higgins, Rosalyn, 244
Hobbes, Thomas, 131, 296
Holder, William E., International Organizations: Accountability and Responsibility, 231–36
Holmes, Oliver Wendell, 161
Hong Kong Stock Exchange, 271
Host state, responsibilities of, 260
Hot-Rolled Steel case, 90
How Nations Behave, 151
Howse, Robert, 81, 92, 158, 159
Hudec, Robert, 87
Human immunodeficiency syndrome, 8, 10
  "abstinence only" approach to prevention of, pregnancy, 105
  entitled to treatment, 103
Human rights, 50–51
  application of, 103
  global responsibilities of, 7–11
  health security at different levels of, 102–05
  challenges, 105–06
  clinical care, 102–03
  health systems, 103–05
  human rights, application of, 103
  right to health, application of, 104
  right to nondiscrimination, application of, 104
  socioeconomic, legal conditions, 104–05
  imperialism/colonization, 105–06
  invisibility, 105
  normative development, 106
  opportunities, 105–06
  People's Republic of China, 185
  role of, shaping Globalization:, 1–12
  social movements, challenge to power, 299–301
  standards, 13–14
  terrorism and, 95–97
Human Rights Watch, Ignorance Only: HIV/AIDS, Human Rights and Federally Funded Abstinence-Only Programs in United States, 105
Humanitarian intervention in places like Uganda, Cambodia, and Kosovo, 152
Humanitarian organizations, policymakers, clash between, 20–22
Hungary, 310
  Warsaw Pact, 126

Hussein, Saddam, 113, 114, 127, 128, 141, 193

ICC. *See* International Criminal Court
ICCPR. *See* International Covenant on Civil and Political Rights
ICRC. *See* International Committee of Red Cross
ICSID. *See* Convention on Settlement of Investment Disputes Between States and Nationals of Other States
ICTR. *See* International Criminal Tribunal for Rwanda
ICTY. *See* International Criminal Tribunal for former Yugoslavia
ILC. *See* International Law Commission
ILO. *See* International Labor Organization
Imagined Communities: Reflections on Origin and Spread of Nationalism, 70
Imbalance of Powers: How Changes to United States Law & Policy Since 9/11 Erode Human Rights and Civil Liberties, 5
IMF. *See* International Monetary Fund
Immigration status, 23
Imports, distinguishing injurious effects of, 83
IMTs. *See* International military tribunals
In Matter of Microsoft Corporation, 316
Indonesia, 215
Information revolution
  American power and, 67–75
  globalization, American power and, 72–74
Ingram, Helen, 32
Institutions, in international competition policy, 309–12
Intellectual property rights, 33
  International Treaty on Plant Genetic Resources for Food and Agriculture, 33–35
  protection of, 167
  trade related aspects, 156, 167, 168, 169, 170, 171
  trade-related aspects, 167
Inter-American and African Commissions on Human Rights of Special rapporteurs on women's rights, 63
Inter-American Commission on Human Rights, 102, 103, 305
Inter-American Convention Against Corruption, 133, 134–35, 135
  bribery of foreign public officials, 135–36
Inter-American Court of Human Rights, 16
Inter-American Human Rights Commission, 115
International Accounting Standards, 270
International adjudication, politics, law in, 277–93
International Chamber of Commerce, 107
International Committee of Red Cross, 21, 197
International competition policy, 309–12
International Convention for Protection of New Varieties of Plants, 29
International Convention for Suppression of Financing of Terrorism, 3, 43
International Council on Human Rights Policy, 10
International Court of Justice, 145, 150, 189, 268
  election of judges to, 278–80
International Covenant on Civil and Political Rights, 13, 16, 25, 62
International Covenant on Economic, Social and Cultural Rights, 7, 94
International Criminal Court, 4, 114, 237, 259–64
  establishment of, 260–62
  host state and, legal relationship between, 262–63
  Rome Statute of, 3
  United States-European relations and, 263–64
International Criminal Tribunal for former Yugoslavia, 42, 52, 63, 125, 260
  Tadic case, 145
International Criminal Tribunal for Iraq, 15
International Criminal Tribunal for Rwanda, 42, 52, 63, 125, 260
International financial institutions, 231
International Fiscal Association or Committee on Fiscal Affairs of OECD, 108
International institutions, social movements, typology of relations between, 301–02
International investment agreements, 247–50

International Labor Organization, 155, 168
International Law Commission, 234
  Draft Articles on State Responsibility, 145, 236
International military tribunals at Nuremberg, 15
International Monetary and Financial Committee and Development Committee, 232
International Monetary Fund, 9, 223, 231
International organizations
  accountability of, 236, 241
  control of, 241–43
  member states, 241–42
  regimes of, 232–33
  accountability, 233
  governance, 232–33
  principles for responsibility, 234
  international law, 235
  judicial review, 235
  rule of law, 235–36
  states are still in control, 234–35
  transparency, 233
  responsibility of, 237–39
International Primary Market Association, 223
International Treaty on Plant Genetic Resources, 33–35, 39, 324
Internet speech, limits of jurisdiction, 312–13
IPMA. *See* International Primary Market Association
IPRs. *See* Intellectual property rights
IRA. *See* Irish Republican Army
Iraq, 4, 112, 113, 114, 115, 118, 126, 127, 147, 149, 176, 177, 178, 193
  Afghanistan, situation faced in, contrasted, 195
  International Criminal Tribunal for, 15
  international law ignored in crisis of, 4
  invasion of Kuwait, 128, 148, 149
  Kurdish north, 176
  Sanctions Committee Council, 42
  Spain's decision to go it alone in, 127
Iraq Sanctions Committee Council, 42
Ireland, Northern, 19, 96, 173–74, 174
Ireland v. United Kingdom, 96
Irish Republican Army in northern Ireland and Euskadi Ta Askatasuna in northern Spain, 95
Israel, 174–76, 175, 178
  Defence Forces, 20
  Lebanon, military presence in, 20
  Osirak reactor, destruction of, 143
  Supreme Court, 203
Italy, Red Brigades, 19

Jackson, John H., 162
JAG. *See* Judge Advocate Generals' Corps
Jamaica, 218
Japan, 71, 135
  postconflict situation in, 115
Jefferson, Thomas, 129
  Life and Selected Writings of, 129
Jennings, Robert, 145, 162, 291
Jessup, Philip, 151, 244
Jinks, Derek, *Rems.*, 144–47
Joffe, Josef, 73
Juan Pablo v. Chile, 103
Judge Advocate Generals' Corps, 16
Judges, election of, to International Court of Justice, 278–80
Judicial review, regimes of international organizations, 235
Jus cogens, fundamental international norms of, 24
Jus gentium, 188
Jus in bello, 193–203
Jus inter gentes, 188
Justice, stability, tension between, 186–88

Kagan, Robert, 263
Kant, Immanuel, 181, 296
Karmel, Roberta, 269,
  Rems., 272–75
Kashmir, 177
Katz, Ronald S., Internet Speech and the Limits of Jurisdiction, 309, 312
Keck, Margaret, 302
Kellogg-Briand Pact of 1928, 148
Kennedy
  David, 155, 161
  Duncan, 166
Kenya, al Qaeda in, 52
Keohane, Robert O., 32
Kim Dae Jung, 112
Kim Jong Il, 113
Kingsbury, Benedict, 56

Kinney, Eleanor D., 104
Kirsche, Philippe, 4
Kissinger, Henry, 74, 138
Klein, Jacques-Paul, 212
  The United Nations Transitional Administration in Eastern Slavonia (UNTAES), 205–09
Knechtle, John C., Innovative Ways of Teaching International Law, 217–20
Knesevic case, 100
Koh, Harold Hongju, 11, 120, 123
  Rems., 111–16
Korea, North, 112, 115, 178
Korean Peninsula, 177
Kosovo, 127
  Muslims in, aggression by Iraq against Kuwait, 128
  postconflict situations in, 115
Kovacic, William E., Extraterritoriality, Institutions, and Convergence in International Competition Policy, 309, 310
Kruman v. Christie's Int'l PLC, 310
Kuwait, 58, 126
Kwalwasser, Edward, 269
  Rems., 275–76
Kyoto Protocol, 4, 183

Lacarte, Julio, 78
Lamont, Thomas, 229
Land Mines Treaty, 4
Las Casas, Bartolome de, 296
Latin America, 134
Lauterpacht, Hersh, 151
Lawless v. Ireland v. United Kingdom, 96
Lawyer's Committee for Human Rights, 5
League of Nations, 3, 125, 128, 130, 213, 214
Leebron, David W., 163
Legal norms, advocacy networks' contribution to, 302
Legality of Use of Force (Serbia and Montenegro) v. Belgium, 243
Leigh, Monroe, 259
Lennard, Michael, 79
Lepard, Brian, *Rems.*, 111, 123
Letter Concerning Toleration, 296
Levelers, in English Civil War, 300
Levin, Jerry, 275
Levmore, Saul, 30
Lex mercatoria formation by Medieval merchants, 68
Lexembourg, European Court of Justice in, 80
Libertarian liberalism, 159
  limitations of, 160
Life and Selected Writings of Thomas Jefferson, 129
Limburg Principles on Implementation of International Covenant on Economic, Social and Cultural Rights, 94
Linehan, Jan, 56
Locke, John, 131, 181, 296
Lockerbie, Scotland, Pan Am flight 103, 52
Lockerbie case, 283
Lodge, Henry Cabot, 129

Maastricht Guidelines on Violations of Economic Social and Cultural Rights, 94
Mack, Andrew, 59
MacKinnon, Catharine, 121
Magna Carta, 259
Making Targeted Sanctions Effective Guidelines for Implementation of United Nations Policy Options, 46
Malaya, Communist terrorists in, 19
Mandsager, Dennis, *Rems.*, 193
Mann, Howard, International Investment Agreements: Building the New Colonialism?, 247
Marek, Krystyna, 240
Marrakesh Agreement Establishing World Trade Organization, 158, 160, 163
Marxism, 130, 299, 307
Mary, Robinson, Shaping Globalization: The Role of Human Rights, 1–12
Mavriodis, Petros C., 158
McCall, Carl, 275
McDougal, Myres S., 152
McRae, Donald, 78
  Rems., 87
Meaning of feminism, 121
Médecins Sans Frontières, 169
Medieval merchants, *lex mercatoria* formation, 68
Memorandum on Rules of International Humanitarian Law to be Respected by States Involved in Military Hostilities in Afghanistan, 21

Mendez, Juan E., 99
Meron, Theodor, 199
Rems., 191–92
Merritt, Deborah Jones, 265
Metalclad Corp. v. Mexico, 254–56
Mexican suit against United States at International Court of Justice, 116
Mexican-American Women, Texas, 102
Mexico, 103, 113, 218, 226, 228, 310
Middle East, 173, 175
Middle East peace process, 115
Military and Paramilitary Activities in and Against Nicaragua, 278
Military commissions, limitations on United States use of, 15
Military Order of President, 17
Mill, John Stuart, 181
Millennium Declaration, United Nations, 3
Miller
Elin, The Use of Targeted Sanctions in the Fight Against International Terrorism—What About Human Rights, 46–51
Judith, 321
Milošević, Slobodan, 114, 193
(Mincing Lane) Ltd. v. Department of Trade and Industry, 235
Minterey Conference on Financing for Development, 8
Mitchell, Senator George J., Peacemaking: The Interaction of Law, Politics, and Diplomacy, 173–76
Modern Law of Nations, 244
Mohonk Conference on International Arbitration, 265
Montserrat, 218
Moore, John Norton, 193
Morgan, Robin, 58, 59
Morrow, Dwight, 229
Mosoti, Victor, 164
Multilateralism, commitment to, 322–23
Multiple Loyalties: Theoretical Approach to Problem in International Organization, 70
Munich, days of appeasement in, 187
Munro, Vanessa E., 121
Muris, Timothy J., 311
Murphy, Sean D., *Rems.*, 177–79
Muslim chador, wearing of, 266
Muslims, 128, 177
Mutua, Makau, 158
My American Biography, 322

NAFTA, 248, 322
Free Trade Commission, 250
investment, 251
Naim, Moisès, 2
NASA secrets, theft of, 69
NASDAQ Stock Market, 269, 270, 276
Nazi, 149
Nazi memorabilia, selling of, 312
Netherlands Antilles, 218
New Israel, Puritan inheritance of idea of, 130
New Perspectives on Property Law, Obligations and Restitution, 171
New Sovereignty: Compliance with International Regulatory Agreements, 115, 123
New York Stock Exchange, 269, 270, 275, 276
Nicaragua, 148, 150, 284
Nicaragua case, 145, 148, 150, 151, 277, 281
Nicholson, A.J., 218
Niger, UTA Flight 772 over, 52
Niyonteze case, 100
Nondiscrimination, right to, 104
Norman Manley Law School of Kingston, Jamaica, 218
Norris, Pippa, 70
North Atlantic Treaty Organization, 176
North Korea, 112, 115, 178
Northern Alliance, 22, 58
Northern Cameroons case, 282, 283
Northern Ireland, 19, 96, 173–74, 174
Nowak, Manfred, 25
Nuclear tests, 283, 286, 290
Nuclear weapons, legality of threat, use of, 284
Nuremberg trials, 4, 259, 324
Nye, Joseph S., Jr., 32, 129, 269
The Information Revolution and the Paradox of American Power, 67–75

OAS. *See* Organization of American States
Obediencia Debida, 304
O'Connor, Sandra Day, 265
OECD. *See* Organization For Economic Cooperation and Development
Ogata, Sadako, 6
O'Halloran, Sharyn, 166

Ohlhoff, Stefan, 159
Okediji, Ruth, 168
Open Door Counseling Ltd. v. Ireland, 106
Oppenheim, Lassa, 291
Oppenheim's International Law, 162
Organization for Economic Cooperation and Development, 107, 133
Organization of African Unity, 178
Organization of American States legal secretariat, 134
Organization of Eastern Caribbean States, 219
Origins of violence, neutral report on, 174
Osama bin Laden, 25, 41
Owada, Hisashi, 191–92
  Some Reflections on Justice in a Globalizing World, 181–91
Oxfam, 8, 167

Pain control, wounded patients, 24
Pakistan, 58
Palermo Protocol, 11
Palestine, 20, 143, 174–76, 175, 178, 203
Palmer, Rt. Hon. Sir Geoffrey, 289–93
Palmeter, David, 158
Pan Am flight 103, Lockerbie, Scotland, 52
Panetta, Leon, 275
Panitchpakdi, Supachai, 10
Paradise and Power: America and Europe in New World Order, 263
Paramilitary Activities In and Against Nicaragua, 145
Past campaigns against terrorism, 18–20
Patent Harmonization Treaty, 171
Patterson, P.J., 218
Pauwelyn, Joost, 90
Pellet, Alain, 238
Pentagon secrets, theft of, 69
Perle, Richard, 25
Perritt, Henry H. Jr., 68
Persico, Joseph E., 322
Peru, 102
Petersmann, Ernst-Ulrich, 79, 169
Peterson, Luke Eric, 252
PGR. *See* Plant genetic resources
Pharmaceutical Manufacturers Association a.o. v. Pres. of Rep. of S. Africa, 170
Phillips, Anne, 120
Philosophical Investigation, 236
Picciotto, Sol, Private Rights vs. Public Interests in the TRIPs Agreement, 167–72
Pinochet, General Augusto, 69, 304
Pisano, Gary P., 30
Plant genetic resources
  existing legal frameworks, 29
  regime complex for, 29
Pluralistic values, justice in context of, 184–86
Poland, 310
  German armed attack against, 149
  Warsaw Pact, 126
Police activities, use of military for, 219
Politics, Process, and American Trade Policy, 166
Pope & Talbot, British Colombia, 256
Pope & Talbot case, 256
POW. *See* Prisoner of war
Powell, Colin, 113, 322
Power, changing nature of, 72
Precondition for lawmaking, trust, 173
Pregnancy. *See also* Birth Control
  "abstinence only" approach to prevention of, 105
Prime Ministers Blair and Ahern, 173
Prince Zeid Raad Zeid Al Hussein from Jordan, 260
Printz v. United States, 266
Prisoner of war status, 15–18, 19, 22
  discrimination, 15–16
  due process, 15
  minimal rights to, 16–18
  military commissions, limitations on United States use of, 15
  right to counsel, 17
  right to review, 17–18
  right to trial, 16–17
  rules of evidence, 17
"Private" conduct, state responsibility for, 145
Proliferation of International Organizations, 244
Proposals made in Zedillo Report, 8
Prosecution, alleged terrorists, 15–16, 15–18, 16–17, 16–18, 17–18
Prosecutor v. Tadic, 145, 197
Protection of Individuals with Regard to Processing of Personal Data and Free Movement of Such Data, EU Directive, 314

Protocol to Prevent, Suppress and Punish Trafficking in Persons 2000, 61
Prsad, Eswar, 248
Puerto Rico, 218
Punto Final, 304

Qatar-Bahrain Howar Islands case, 277
Quakerism, 297
Quinlan, Joseph, 68

Rainbow Warrior, sinking of, 290
Ramsey, Henry Jr., 218
Ratner, Steven R., 125, 237
Rawls, John, 117, 158, 181
Rayner, J.H., 235
Reaume, Denise, 121
Reconceiving Reality: Women and International Law, 55, 60
Reconceiving Reality Conference, 55
Red Army Faction, Germany, 19
Red Brigades, Italy, 19
Red Cross, 70
Reformation, 297
Regime change, governance agenda and, 137–39
Regimes of international organizations, 232–33
  accountability, 233
  governance, 232–33
  principles for responsibility, 234
  international law, 235
  judicial review, 235
  rule of law, 235–36
  states are still in control, 234–35
  transparency, 233
Reinisch, Augus, 240
Reisman, W. Michael, 159
  Rems., 142–44
Reisner, Daniel, 193
  Rems., 200–03
Renni, David, 98
Reparations, case, 231, 234
Report of International Law Commission on work of its Forty-Ninth Session, 238
Reproductive Health and Human Rights: Integrating Medicine, Ethics and Law, 102
Republic of Croatia, 205
Results of Uruguay Round of Multilateral Trade Negotiations, 162
Revell v. Lidov, 318
Review, right to, in prosecution of alleged terrorists, 17-18
Rhodesia, sanctions imposed against, 42
Right to counsel, in prosecution of alleged terrorists, 17
Right to review, in prosecution of alleged terrorists, 17-18
Right to trial, in prosecution of alleged terrorists, 16-17
Rights of Bondholders Law of 1899, 225
Roberts, Adam, 69
  Role of Law in the "War on Terrorism" A Tragic Clash, 18
Robinson
  Davis R., The Role of Politics in the Election and the Work of Judges o f the International Court of Justice, 277
  Mary, 127, 129, 288
    Shaping Globalization: The Role of Human Rights, 1–12
Roitinger, Alexander, 164
Rome Statute of International Criminal Court, 3, 122, 262, 323
Roosevelt, Eleanor, 7
Root, Elihu, 260, 265
Rosand, Eric, 43
Rosenau, James, 70, 307
Rosenthal, Paul C., 80
Rotterdam Convention on Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, 39
Rousseau, Jean-Jacques, 181, 296
Rubin, Edward, The Conceptual Role of Social Movements, 296
Ruddock v. Vadarlis, 321
Ruggie, John G., 67
Rule of Law—Foundation of Constitutional Democracy, 291
Rules of evidence, in prosecution of alleged terrorists, 17
Rumsfeld, Donald, 69, 114
Russia-China-India coalition, 71
Rwanda, 259
  International Criminal Tribunal for, 52, 260

Saddam Fedayeen, 196
Saddam Hussein, 113, 114, 127, 128, 141, 193
Safe Harbor Principles, European Commission, 314
Safeguards Agreement, 89
Safrin, Sabrina, Conflict and Coordination Across International Regimes: Trade in Bioengineered Agricultural Commodities, 36, 38
Saint Lucia, 218
Sands, Philippe, 321
Rems., 323–24
Sarbanes-Oxley Act, 269, 271, 272, 274, 275, 276
Saric case, 100
Sassen, Saskia, 68
Sassòli, Marco, 193, 195
"Unlawful Combatants": The Law and Whether It Needs to Be Revised, 196–200
Saudi Arabia, 58
Schachter, Oscar, 292
Schelle, George, 188
Scherer, F.M., 170
Schlemmer-Schulte, Sabine, 244
Schloemann, Hannes L., 159
Scottish Enlightenment, 130
Search and seizure powers, under USA Patriot Act, 5
SEC. *See* Securities and Exchange Commission
Securities and Exchange Commission, 269, 270, 273, 274, 276
Securities Exchange Act of 1934, 273
Self-defense, "harbor or support" rule, 146-147
September 11, 2001, 5-6, 25, 74, 151, 183, 193, 200
Serbs, 177, 213
Shaffer, Gregory, 309
Extraterrritoriality in a Globalizing World: Regulation of Data Privacy, 314, 319
Shia Muslim south, 176
Shrimp-Turtle case, 90, 162
Sikkink, Kathryn, 295
A Typology of Relations Between Social Movements and International Institutions, 301–05
Slaughter, Anne-Marie, 1, 4, 27, 31
An American Vision of International Law?, 125–29
Social movements
conceptual role of, 296–99
democracy and, 305–08
human rights, challenge to power, 299–301
international institutions, typology of relations between, 301–02
international law, 295–308
Soloway, Hyman, 87
Sonorajah, M., 249
Souter, David, 265
South Africa, 42, 177, 310
apartheid, 69
South Asian Association for Regional Cooperation, 62
South Korea, 112, 310
Southern Rhodesia, sanctions imposed against, 42
Sovereign bankrupt proposal, 222
Sovereign debt crisis, 221-29
Sovereign State and its Competitors: An Analysis of Systems, 68
Soviet Union, disintegration of, 177
Spain, 190
decision to go it alone in Iraq, 127
Spiro, Peter J., 67
Spratling, Gary R., 311
Spruyt, Hendryk, 68
SPS Agreement. *See* Sanitary and phytosanitary measures
St. Kitts, 218
St. Vincent, 218
Stability, justice, tension between, 186-88
Stammers, Neil, Social Movements, Human Rights, and the Challenge to Power, 299
Standards under Geneva law in times of armed conflict, 14-15
State of World Forum, 11
State Responsibility, ILC Draft Articles on, 234
State responsibility for "private" conduct, 145
Steel Plate case, 165
Steven, Lee, 251
Stevens, John Paul, 265
Stowe, Harriet Beecher, 297

Stromseth, Jane E., The Security Council's Counter-Terrorism Role: Continuity and Innovation, 41
Sub-Commission on Human Rights Resolution 2002, 26
Sudan, 177, 178
Suffrage organizations, women's, 70
Suicide bombings, 200
Sunni Muslim center, 176
Suriname, 218
Swaine, Edward, 309
Symposium on Combating International Terrorism, 45
Szasz, Paul C., 43

Taft, William Howard, 265
Taiwan, 310
Talbott, Strobe, 114
Taliban, 21, 22, 41, 46, 144, 193, 195
Tanzania, al Qaeda in, 52
Tarullo, Daniel, 79, 85
Tavares v. France, 103
TBT Agreement. *See* Agreement on Technical Barriers to Trade
Teaching international law, 217–20
Terrorist, alleged, prosecution of, 15–18
  discrimination, 15–16
  due process, 15
  minimal rights to, 16-18
  military commissions, limitations on United States use of, 15
  right to counsel, 17
  right to review, 17–18
  right to trial, 16–17
  rules of evidence, 17
"Terrorist," usage of term to denote dissent, 27
Téson, Fernando R., 111, *Rems.*, 116–20
Texas, Mexican-American Women, 102
Textiles, clothing products, restrictions on import of, turkey, 92
Thakur, Ramesh, 59
Theory of Justice, 117, 181
Third-party adjudication for political people, difficulties of, 289–93
Thomas, Clarence, 278
Tillinghast, David, Arbitration of Disputes Under Income Tax Treaties: A Panel Overview, 107–09
Timor, United Nations transitional authority in, 210–12
Tobago, 218
Toronto Stock Exchange, 271
Torture
  international human rights obligations, terrorism and, 23–27
  reintroduction of, 24
Total Information Awareness Program, 5
Touraine, Alain, 298
Trade, security and, 323
Trade Act of 1974, 159, 163
"Trade Law Through Geopolitical Lens," 85
Trade related aspects, intellectual property rights, 156, 167, 168, 169, 170, 171
Trade union organizations, 234
Trafficking in Persons, Protocol to Prevent, Suppress and Punish, 61
Transatlantic Governance in Global Economy, 314
Transitional advocacy networks, compliance with international law, 302–05
Transnational law, structural rules of, 317–19
Transparency, regimes of international organizations, 233
Transparency International, collaborated with Inter-American Bar Association and American University Washington College of Law, 134
Treaty of Chaguaramas, 218
Treaty of Rome, 80
Treaty of Versailles, 129
Treaty on Plant Genetic Resources, 324
Trial, right to, in prosecution of alleged terrorists, 16–17
Trial of Khmer Rouge in Cambodia, 100
Trinidad, 218
TRIPS. *See* Trade-Related Aspects of Intellectual Property Rights
Tuberculosis, health care for poor people with, 8
Turbulence in World Politics, 307
Türk, Danilo, Law and Policy: Security Council's Ability to Innovate, 51–54
Turkey, 218
  import of textiles, clothing products, restrictions, 92

UNCTAD. *See* United Nations Conference on Trade and Development
Unitarianism, 130
United Kingdom, 69, 135, 190
engagement against terrorism in Northern Ireland, 19
United Mexican States, 227
United Nations, 125, 178
Administration Mission in Kosovo, 213
administration of territory, 205–15
Charter, 3, 16
Children's Fund, 7
Commission on Human Rights, 8, 62
Committee on Economic, Social and Cultural Rights, 104
Compensation Commission, 57
Conference on Trade and Development, 249
Convention Against Corruption, 133
Convention on Biological Diversity, 29
Convention on Enforcement of Arbitral Awards, 109
Convention on Law of Sea, 263
Food and Agriculture Organization, 29
as government, 212–15
High Commissioner for Human Rights, 7
Proposals for "Further Guidance" for Submission of Reports Pursuant to Paragraph 6 of Security Council Resolution 1373 (2001), 45
High Commissioner for Refugees, 6
International Covenant on Economic, Social and Cultural Rights, 94
Millennium Assembly, 2, 8
Millennium Declaration, 3
Monitoring, Verification and Inspection Commission, 42
role of, 178, 179, 181–92
Security Council, 15, 21, 41
Special Commission, 42
Sub-Commission on Human Rights, 26
Transitional Administration for Eastern Slavonia, 205, 212
Transitional Authority in East Timor, 212
War Crimes Tribunal, 191
United Nations Division for Advancement of Women, Optional Protocol to Convention on Elimination of All Forms of Discrimination Against Women: Text and Materials, 61
United Phosphorus, Ltd. v. Angus Chem. Co., 310
United States, 136. *See also under* specific area of international law
Dept. of Def. Military Commission Order No. 1: Procedures for Trials by Military Commissions of Certain Non-United States Citizens in War Against Terrorism, 23
Federal Trade Commission, 315
generally accepted accounting principles, 270, 273
generally accepted auditing standards, 270
Geneva Conventions, disdain for, 114
preemptive strikes doctrine, 2
Security Council vote, 116
United States-Antidumping and Countervailing Measures on Steel Plate from India, 164
United States—Continuing Dumping and Offset Act of 2000, 91
Universal Declaration of Human Rights, 7, 9, 127, 297
Unlawful combatants, 196–200
UNMIK. *See* United Nations Administration Mission in Kosovo
UNMOVIC. *See* United Nations Monitoring, Verification and Inspection Commission
UNSCOM. *See* United Nations Special Commission
UNTAES. *See* United Nations Transitional Administration for Eastern Slavonia
UNTAET. *See* United Nations Transitional Authority in East Timor
UPOV. *See* International Convention for Protection of New Varieties of Plants
Uruguay, 81, 154

Values, pluralistic, justice in context of, 184–86
Velasquez Rodriguez case, 64
Venezuela, 218

Victor, David G., The Regime Complex for Plant Genetic Resources: An Overview, 29
Vienna Convention on Law of Treaties Between States and International Organizations or Between International Organizations, 38, 80, 90, 148, 149, 161, 238–39, 240
Vienna Declaration, 62
Violations of nationally and internationally recognized human rights, 105

Wallensteen, Peter, 46
Wapner, Paul, 295
  Democracy and Social Movements, 305–08
War, Aggression and Self-Defence, 147
Warsaw Pact, 126
Watts, Arthur, 145, 162
Weisburst, Sandy, 170
Wellens, Karel, Accountability of International Organizations: Some Salient Features, 241–45
Westphalian legal order, 188, 200
WHO. *See* World Health Organization
Wiesel, Elie, 24
Wilde, Ralph, The United Nations as Government: The Tensions of an Ambivalent Role, 212–15
Williams, David, 255
Wilson, Woodrow, 125, 130
WIPO. *See* World Intellectual Property Organization
Wittgenstein, Ludwig, 236
Women and Public International Litigation: Background Paper for Project on International Courts and Tribunals, 56
Women's suffrage organizations, 70
World Bank, 9, 137, 247
World Bank, Global Economic Prospects and Developing Countries, 248
World Court, 279, 281
World Health Organization, 168
World Intellectual Property Organization, 168
World Trade Organization, 9, 10, 38, 56, 87, 92, 155, 157, 168, 171, 247
  Agreement on Trade-Related Aspects of Intellectual Property Rights, 29
  developing states, 153
World Trade Organization, Legal Texts: Results of Uruguay Round of Multilateral Trade Negotiations, 160
WTO. *See* World Trade Organization

Yahoo v. League Against Racism and Anti-Semitism, 312, 319
Young v. New Haven Advocate, 318
Yugoslavia, former, International Criminal Tribunal for, 42, 52, 63, 125, 260

Zimbabwe. *See* Southern Rhodesia